

DEPARTMENT OF PUBLIC SERVICE
CITY OF COLUMBUS, OHIO

SUBJECT: Residential On-Street Handicapped Parking Rules and Regulations

EFFECTIVE DATE: September 15, 2013

PAGES: 1 of 5 **BY:** Division of Mobility Options

I. PURPOSE

The City recognizes that on-street parking in some residential neighborhoods is a limited resource, especially in areas having few off-street parking facilities such as garages, carports, driveways or hard-surfaced parking areas. Furthermore, the mobility for some citizens with disabilities or mobility challenges can be enhanced by the establishment of reserved parking spaces along public streets for handicapped designated vehicles. The purpose of these rules and regulations is to establish guidelines for designating a parking space reserved for handicapped designated vehicles in a residential area.

II. AUTHORITY

- A. Pursuant to the authority granted under Title 21 of the Columbus City Codes, 1959, as amended, the Director of Public Service hereby adopts, establishes, and publishes these rules and regulations to be effective at the earliest time allowed by law.
- B. These Rules and Regulations supersede all previously promulgated rules and regulations for residential on-street handicapped parking in the public right-of-way.

III. APPLICABILITY

These Rules and Regulations shall be applicable to any persons requesting a residential on-street parking space to be reserved exclusively for handicapped designated vehicles. Beginning with the effective date of these Rules and Regulations, all residential on-street handicapped parking spaces shall be subject to annual verification of eligibility as set forth herein.

IV. DEFINITIONS

The following words, terms and phrases, when used in these Rules and Regulations, shall have the meanings ascribed to them, except when the context clearly indicates a different meaning:

- A. *Application* means a form created by the Department which initiates a request for residential on-street handicapped parking.
- B. *Department* means the City of Columbus Department of Public Service, Division of Mobility Options.
- C. *Director* means the Director of the Department of Public Service, or designee.
- D. *Dwelling* means a building containing a minimum of one self-contained unit providing independent living facilities for one or more individuals and which

contains eating, living, sanitary and sleeping areas and one cooking facility, all for exclusive use by the occupants, with frontage on a public street.

- E. *Handicapped designated vehicle* means a vehicle that has displayed either a handicapped placard or a handicapped license plate.
- F. *Handicapped license plate* means a vehicle license plate issued by the State of Ohio, Bureau of Motor Vehicles for handicapped individuals.
- G. *Handicapped placard* means a placard issued by the State of Ohio, Bureau of Motor Vehicles to handicapped individuals.
- H. *Off-street parking* means an area of the property on which a dwelling is located meant for the parking of motor vehicles, including garages, carports, or uncovered paved or unpaved surfaces.

V. GENERAL

- A. Residential on-street handicapped parking spaces established by the City are for the use of any vehicle displaying a duly authorized and valid handicapped license plate or handicapped placard identifying the vehicle as a handicapped designated vehicle.
- B. Residential on-street handicapped parking spaces are not reserved for the exclusive use of any individual.
- C. The applicant for a residential on-street handicapped parking space shall reside at the dwelling requested for a residential on-street handicapped parking space.
- D. The applicant for a residential on-street handicapped parking space shall possess a valid handicapped license plate or handicapped placard.
- E. The dwelling requested for a residential on-street handicapped parking space shall not have off-street parking, unless as otherwise approved by the Director according to these Rules and Regulations.
- F. The physical condition, or use of the off-street parking at a dwelling (e.g., a garage used for storage, or a non-functioning overhead garage door, or an unpaved parking area that is not properly maintained) shall not constitute a basis for approving an application for residential on-street handicapped parking.
- G. If on-street parking is restricted in front of an approved dwelling, the dwelling shall not be eligible for a residential on-street handicapped parking space, except as provided in Section V.M herein.
- H. If off-street parking is prohibited or otherwise unavailable to an applicant who rents the dwelling, the applicant shall provide with their application a copy of the applicant's lease agreement or a notarized letter from the landlord documenting that off-street parking at the dwelling is prohibited to the applicant.
- I. The Department will consider and may approve a request for a residential on-street handicapped parking for a dwelling with off-street parking if the Director determines that the off-street parking space is less accessible than the requested residential on-street handicapped parking space.
- J. Only one (1) residential on-street handicapped parking space, not exceeding 23 feet in length, shall be permitted per dwelling.
- K. Excluding on-street handicapped parking spaces established prior to June 15, 2007, non-residential developments shall not be eligible for residential on-street handicapped parking.

- L. A residential on-street handicapped parking space shall not be transferable to a different location.
- M. The Department may determine that a residential on-street handicapped parking space may be approved, but not directly adjacent to the dwelling (e.g., due to an existing parking restriction). In this case, the applicant may be requested to provide to the Department written consent from the property owner(s) of the property at which the Department has determined the handicapped parking space may be approved, or the Department may contact the property owner(s) for their consent.
- N. If the handicapped designated vehicle or placard is no longer registered to a resident of the dwelling, the Department shall remove the residential on-street handicapped parking space.
- O. If the applicant fails to renew by the annual due date, the Department shall remove the residential on-street handicapped parking space.
- P. A residential on-street handicapped parking space shall not be approved for any requesting individual with unpaid city of Columbus parking tickets.

VI. RESIDENTIAL ON-STREET HANDICAPPED PARKING APPLICATION

- A. An application may be a request to establish a new residential on-street handicapped parking space, or a request to modify, amend, reconsider, reinstate, remove, or renew an existing residential on-street handicapped parking space.
- B. The application shall be a form provided by the Department, which shall contain the following minimum information. The applicant may be required to provide additional information as determined by the Department:
 - 1. The name, address, telephone number and email address of the applicant; and
 - 2. The expiration date and number of the handicapped designated vehicle license plate, or the handicapped designated vehicle placard number and expiration date; and
 - 3. A narrative description of the need for the requested residential on-street handicapped parking; and
 - 4. Any other information reasonably required by the Department for the purpose of processing the application under the requirements of these rules and regulations.
 - 5. Vehicle license plate number registered to the applicant's address, as applicable.

VII. PROCEDURES

- A. Upon receiving a complete application for residential on-street handicapped parking, the Department shall verify that the handicapped placard or handicapped plate is valid; and is registered to the address of the dwelling requested for a residential on-street handicapped parking space.
- B. Following verification of the information provided on the application, the Department shall conduct an investigation of the dwelling identified in the application. The Department shall determine if the application is approved, disapproved, or approved with modifications.

- C. If the application is disapproved, the applicant shall be notified in writing of the disapproval, and the reason(s) for the disapproval.
- D. If the application is approved with modifications, the applicant shall be notified in writing to confirm agreement to the approval with modification(s), and to pay any unpaid parking tickets.
- E. If the application is approved, the applicant shall be notified in writing of the approval and instructed to pay any unpaid parking tickets.
- F. Upon complete payment of any unpaid parking tickets, the Department will install signage to designate the residential on-street handicapped parking space following these steps:
 - 1. Prepare and publish Director's Orders establishing the residential on-street handicapped parking space.
 - 2. Prepare and process a work order for the installation of two regulatory signs designating the residential on-street handicapped parking space.
 - 3. Install the regulatory signage.

VIII. FEES

- A. There shall be no fee charged for a residential on-street handicapped parking space.

IX. TRANSFERS AND EXPIRATION

- A. A residential on-street handicapped parking space is specific to a location, and shall not be transferred to another location.
- B. Transferring an approved residential on-street handicapped parking space from the original applicant to a successor applicant at the same address may be allowed by the Department provided the successor applicant pays all unpaid parking tickets, and submits an application for approval.
- C. All residential on-street handicapped parking spaces shall expire on December 31 of each year.
- D. Application for renewal of a residential on-street handicapped parking space may be made 60 days before the expiration date.

X. ENFORCEMENT, DENIAL, REVOCATION, SUSPENSION AND TERMINATION

- A. The Department and the Columbus Division of Police shall have the authority to enforce the provisions of these rules and regulations.
- B. The use of a residential on-street handicapped parking space is subject to the enforcement of applicable local and state laws governing traffic, parking, general offenses, and right-of-way occupancy codes and regulations. Enforcement of these Rules and Regulations may include suspension, revocation, termination or denial of a residential on-street handicapped parking space, or in egregious circumstances up to and including criminal prosecution pursuant to Columbus City Code Section 903.99.
- C. The Department or the Columbus Division of Police may temporarily suspend the use of a residential on-street handicapped parking space if the public right-of-way

is needed for an emergency or temporary use, including, but not limited to, the construction, maintenance, or repair of a street or utility or special event.

- D. The Department shall notify the applicant in writing and may deny a residential on-street handicapped parking space or revoke or suspend a residential on-street handicapped parking space if:
1. The applicant fails to comply with the requirements of these rules and regulations or other applicable law;
 2. The applicant makes a false statement of material fact on an application for, or a request to renew a residential on-street handicapped parking space; or
 3. The Department determines that the use of the residential on-street handicapped parking space would:
 - a. endanger the safety of persons or property or otherwise not be in the public interest;
 - b. unreasonably interfere with pedestrian or vehicular traffic;
 - c. unreasonably interfere with the use of a pole, parking meter, traffic sign, traffic signal, hydrant, mailbox, or other object at or near the proposed location of the residential on-street handicapped parking space; or
 - d. unreasonably interfere with an existing use permitted at or near the proposed location of the residential on-street handicapped parking space.

XI. APPEALS

If the Department disapproves an application for residential on-street handicapped parking, or if the Department approves with modification an application, or if the Department notifies an applicant of its intent to revoke, suspend or remove residential on-street handicapped parking, the applicant has the right to appeal the decision to the Director as follows:

- A. Notify the Department, in writing, within 14 days of receipt of the disapproval or notice of intent to remove residential on-street handicapped parking. The written notice must state the reason for requesting an appeal, and provide justification supporting the request for appeal, including documentation such as a statement from the applicant's physician supporting the appeal.
- B. The Department will forward the applicant's request for appeal along with the recommendation from the Department to the Director for review.
- C. The Director will render a decision within 14 days of receiving the appeals packet from the Department.
- D. The Department will notify the applicant, in writing, of the Director's decision.
- E. The decision of the Director shall be final.

BY ORDER:

TRACIE DAVIES, DIRECTOR
DEPARTMENT OF PUBLIC SERVICE